



**FEDERAL COMMUNICATIONS COMMISSION**  
**ENFORCEMENT BUREAU**  
Northeast Region

**New York Office**  
201 Varick Street, Suite 1151  
New York, New York 10014

October 15, 2014

Roger and Sons Concrete, Inc.  
New York, New York

**NOTICE OF UNLICENSED OPERATION**

Case Number: EB-FIELDNER-14-00017315  
Document Number: W201532380004

The New York Office received information that a construction company was allegedly operating on an unauthorized frequency 460.1375 MHz in New York, New York. On October 7, 2014, agents from this office confirmed by direction finding techniques that radio signals on frequency 460.1375 MHz were emanating from transmitting equipment located on Cortland Street between Broadway and Church Street (construction site of WTC#3). The Commission's records show that no license was issued for operation of radio equipment on 460.1375 MHz at this location in New York, New York.

Radio transmissions must be licensed by the FCC pursuant to 47 U.S.C. § 301. You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (see 47 U.S.C. §§ 401, 501, 503 and 510).

**UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED IMMEDIATELY.**

You have ten (10) days from the date of this notice to respond with any evidence that you have authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5

U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

Stephen Maguire  
District Director  
New York Office

Attachments:

Excerpts from the Communications Act of 1934, As Amended  
Enforcement Bureau, "Inspection Fact Sheet", March 2005